



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
BROOKFIELD PLACE, 200 VESEY STREET, SUITE 400
NEW YORK, NY 10281-1022

July 21, 2021

VIA ECF

The Honorable Marcia M. Henry
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: SEC v. Krstic, et al., 21 Civ. 0529 (LDH) (RER)

Dear Judge Henry:

Plaintiff Securities and Exchange Commission respectfully writes to request, with the consent of *pro se* Defendant Robin Enos, and counsel for Defendant John DeMarr, an adjournment of the August 3, 2021 initial conference scheduled in this matter (D.E. 25).

On April 5, 2021, Judge Hall issued an order (the “Order”) granting the March 29, 2021 motion of the United States Attorney’s Office for the Eastern District of New York (D.E. 11) to intervene, and for a stay of this proceeding, including all discovery, pending resolution of the criminal matters captioned *United States v. John DeMarr*, 21-CR-153 (LDH) and *United States v. Kristijan Krstic*, 21-CR-98 (LDH) (the “Criminal Proceedings”). In view of the Order, the Commission respectfully submits that, pending resolution of the Criminal Proceedings, it is premature and impracticable for the parties to confer and attempt to reach agreement on a proposed case management schedule, because the timing of the commencement of discovery remains uncertain, and the resolution of the Criminal Proceedings will likely have a substantial effect on the scope and nature of discovery necessary in this proceeding.

For the foregoing reasons, the Commission respectfully request that the Court adjourn the August 3, 2021 conference to a date after resolution of the Criminal Proceedings that the Court deems appropriate.

Respectfully submitted,
/s/Richard G. Primoff
Richard G. Primoff
Senior Trial Counsel

cc: Defendant Robin Enos, *pro se* (by email)
Thomas Sjoblom, Esq., counsel for Defendant John DeMarr (by email)